



UNITED STATES MARINE CORPS

COMPANY "B" (-)
8TH ENGINEER SUPPORT BATTALION
4TH FORCE SERVICE SUPPORT GROUP
ARMED FORCES RESERVE CENTER
1901 SOUTH KEMBLE AVENUE
SOUTH BEND, INDIANA 46613-1789

IN REPLY REFER TO:
5720

Admin

28 Jul 99

COMPANY POLICY LETTER 04-99

From: Commanding Officer/Inspector-Instructor
To: Distribution List

Subj: FREEDOM OF INFORMATION ACT STANDARD OPERATING PROCEDURES
(FOIA SOP)

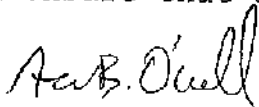
Encl: (1) Freedom of Information Act (FOIA) Processing Worksheet

1. All requests for information under the FOIA will be submitted to the Commanding Officer/Inspector-Instructor. A determination will be made as to the releasability of the material requested through application of the worksheet included in enclosure (1).
2. Upon receipt of a request for information under the FOIA, the date received will be stamped on the request. It will then be assigned a request control number.
3. If the requested material is releasable, the request shall be completed immediately, and any cost or fee from research and duplication will be collected in accordance with current Marine Corps Orders. Additional information concerning the collection of fees may be obtained by contacting 4th Force Service Support Group PAO or 4th Force Service Support Group Adjutant.
4. A prompt report will be submitted to the Commanding General, 4th Force Service Support Group (Code PAO/41) indicating the type of request, material provided, and the number of man-hours by rank required for research and duplication.
5. If it is unclear whether the requested material is releasable, the JPAO and the 4th Force Service Support Group SJA should be contacted for a determination. Requests that are determined to be undesirable should be forwarded immediately to the Commanding General (Code PAO/41). Upon forwarding requests to the Commanding General, the requester will be notified in writing that the request has been referred to the Commanding General (Code PAO/41) for disposition. The mailing address and the commercial telephone number of the Director, JPAO ((504) 948-1227/1229) will be provided to the requester. Full justification for denial of the request should be included in the endorsement forwarding the request to the JPAO, but the

notification to the requester should not include the fact that denial of the request is being contemplated.

6. All requests for information received by this command will be given to the Inspector-Instructor Personnel Chief who will record the request in the FOIA Logbook, assign a request control number, and ensure delivery of the request to the Commanding Officer/Inspector-Instructor.

g. The Inspector-Instructor Personnel Chief will monitor the collection of all required fees in accordance with directives, and ensure that all follow-up action is completed.



A. B. O'CONNELL
Inspector-Instructor

"The Commanding Officer is cognizant of,
and concurs with, the information contained
herein but is not available for signature."

T. L. SMITH
Commanding Officer

**FREEDOM OF INFORMATION ACT
(FOIA) PROCESSING WORKSHEET**

I. FOIA Request Accounting Information

- a. FOIA Suspense Date: _____
- b. Control No.: _____
- c. FOIA Coord.: _____
- d. Ph. Number: _____

II. Record Location

_____ Record(s) originated by another agency/activity, or controlled by third party, or classified, or consist of NIS, Naval Audit Service, JAGMAN, or mishap investigation reports, will be treated as misdirected requests. The request will be directed to proper authority and the requester advised of the referral and the originator of the records.

_____ If no record(s) exist but are believed to be located at another activity or federal agency, advise location. The request will be directed to location and requester advised of referral.

_____ Record(s) do not exist. (Note: There is no obligation to create or compile a record to satisfy a FOIA request. Nonexistence of record is not a denial).

_____ Request does not "reasonably describe" the record(s). (Note: the test is: can personnel familiar with the subject identify and locate records with a reasonable amount of effort). Insufficient requests will be returned with explanation of deficiency. This does not constitute a denial.

_____ Record(s) located. Provided for release in entirety or partial release.

III. Release Authority

Yes No

_____ Objects to release of all records or part of records.

_____ Desire to retain release authority over the records. (Provide copy of response and fee computation data to FOIA/PAO office. See part IV. below).

ENCLOSURE (1)

IV. Fee/Fee Waiver

_____ FOIA cost data provided on attached DD Form 2086 (instructions on reverse). Data furnished on this form will be used to compile Tri-Annual Report as required by reference (a).

_____ Waiver/reduction fee not substantiated by request. Indicate reason for denial of fee waiver/reduction of fee.

_____ (a) No definitive evidence to suggest the requested information contains potential for benefiting the general public.

_____ (b) Requester failed to indicate how the record(s) would be of value to major segment of the public.

_____ (c) Requester failed to indicate expertise and ability to disseminate information.

_____ (d) Records primarily benefit the individual/organization versus the general public.

_____ (e) Information is already in the public domain.

V. Recommend Exemption

Exemptions

_____ 1--Classified information

_____ 2--Internal Personal Rules

_____ 3--Other Withholding Statute*

_____ 4--Trade Secrets and Confidential Commercial Information*

_____ 5--Inter-agency and Intra-agency Memoranda

_____ 6--Personal Privacy

_____ 7--Law Enforcement Investigations

Exemptions 8 and 9 pertain to matters not related to the Marine Corps.

*Legal expertise may be required for FOIA interpretation.

DO NOT DESTROY RECORDS that have been denied until the requester has had the opportunity to appeal such a determination.

ENCLOSURE (1)